

U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

By hand

October 14, 2011

The Honorable Richard M. Berman  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: United States v. District Council of Carpenters, 90 Civ. 5722 (RMB)

Dear Judge Berman:

This Office represents the United States (the "government") in the above-named case. We are writing regarding a number of reports and memorandums that were prepared by the two Court-appointed Independent Investigators, Walter Mack and William Callahan. Those documents were submitted to the Court (while Judge Haight presided over this matter) and the government as confidential, primarily to protect ongoing investigations and deliberations by the Independent Investigators. However, with the tenures of the Independent Investigators completed and the conclusion of the criminal cases that were pending, the government believes that the documents not previously released should now be made public to vindicate the public interest in open judicial proceedings. See *United States v. Amodeo*, 71 F.3d 1044, 1049 (2d Cir. 1995).

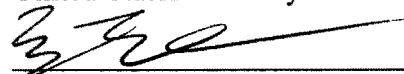
Accordingly, we enclose copies of the unreleased Independent Investigator documents, on paper and on disc. We have reviewed them for any issues that warrant confidentiality, and have redacted the names of people or entities that have not previously been made public and who retain privacy interests in connection with these investigations. We respectfully request that these documents, with the redactions reflected in the enclosed copies, be made public. Mr. Mack, Mr. Callahan, and counsel for the District Council have each reviewed the proposed releases and have no objection to this request, nor does the Review Officer.

We further respectfully request that this letter be placed on the docket. Thank you for your consideration.

Respectfully,

PREET BHARARA  
United States Attorney

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Encls.

cc (by e-mail): Kenneth Conboy; Dennis Walsh; Walter Mack; William Callahan (w/o encls.)